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PERSONNEL MEMO 96 - 11

**MEMORANDUM**

**TO:** Cabinet Secretaries  
Agency Heads  
Personnel Executives

**FROM:** Robert S. Peters *RSP*  
Secretary

**SUBJECT:** Interpretation of 101 KAR 2:100E, Section 2(5),  
Bereavement Leave

The Personnel Cabinet has had a number of inquiries seeking interpretation of 101 KAR 2:100E, Section 2(5) which deals with an agency's duty to approve the use of sick leave in the event of the death of an employee's relative. The regulation mandates that an agency grant sick leave when an employee has lost by death a: "...parent, child, brother or sister, or the spouse of any of them, or any persons related by blood or affinity with a similarly close association."

The Personnel Cabinet offers the following interpretation of the regulation in order to promote uniform application of the rule throughout the agencies. In addition to those persons listed above, the regulation includes: the employee's spouse, and paternal and maternal grandparents; the parents, grandparents, brothers and sisters of the employee's spouse; the employee's foster parents, foster children and foster brothers and sisters; and any person related to the employee by blood or law with whom the employee was in a parent to child or child to parent type of relationship.

Agencies are required to grant up to three (3) days of sick leave to an employee who requests bereavement leave under the conditions listed above. Agencies may exercise discretion in granting bereavement leave to an employee who requests it under conditions not enumerated in the regulation or in this interpretation. Questions concerning this memorandum may be directed to Julie True, Commissioner of the Department for Employee Relations at (502) 564-7911.

RSP:DFE:lw